

Notice of Allowability**Application No.**

10/579,004

Examiner

Eric Hug

Applicant(s)

MCPHERSON, DOUGLAS R.

Art Unit

1791

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to the amendment filed January 6, 2009.
2. ☒ The allowed claim(s) is/are 1-5,8-11,13-20,22-28 and 31-33.
3. ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☒ All b) ☐ Some* c) ☐ None of the:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☒ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.
THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
(a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
(b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☒ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO/SB/08),
Paper No./Mail Date _____
4. ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material
5. ☐ Notice of Informal Patent Application
6. ☒ Interview Summary (PTO-413),
Paper No./Mail Date 1/23/2009.
7. ☐ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other _____.

DETAILED ACTION

Response to Amendment

The following is in response to the amendment filed January 6, 2009.

Claims 1, 3, 9, 13-15, 18, 23, and 24 have been amended.

Claims 6, 7, 12, 21, 29, and 30 have been cancelled.

No new matter has been added.

Allowable Subject Matter

Claims 1-5, 8-11, 13-20, 22-28 and 31-33 are allowed.

The following is an examiner's statement of reasons for allowance:

Claims 1-5, 8-11, 13-20, 22, 25-28 and 31-33 are allowed, because in a cover for a vacuum dewatering box comprising a plurality of spaced-apart blocks arranged in a cross direction row that determine a shape and size of at least one non-linear slot oriented in the cross-direction, the prior art does not disclose or suggest a cover in which no straight linear cross direction slot path is defined in the cross direction that extends across the cover.

Claims 23 and 24 are allowed, because in a cover for a vacuum dewatering box comprising a plurality of spaced-apart blocks arranged in a cross direction row that determine a shape and size of at least one non-linear slot oriented in the cross-direction, the prior art does not disclose or suggest a dewatering box provided with blocks each supported by two CD supports which extend along each side of the blocks and have a complementary groove or projection for positively engaging and holding the blocks.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Response to Arguments

Applicant's arguments filed January 6, 2009 have been considered. Reference is made to the interview with Randy Huis on January 23, 2009.

The objection to claim 24 set forth previously has been overcome by way of amendment.

In view of the arguments and amendment to the claims, Applicant has overcome the rejections of claims set forth previously over Bartelmuss et al (US 2004/0074623), alone or with Poeschl (US 3,928,125), and over Feiler (US 5,858,175). It is acknowledged that Bartelmuss and Feiler both teach a suction box having at least one linear cross direction slot path that extends across the cover.

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Compton (US 1,608,202) discloses a suction box cover with block inserts and discontinuous slots.

Cofrin (US 1,832,844) discloses a suction box cover with staggered discontinuous slots.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Eric Hug whose telephone number is (571) 272-1192.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Steven Griffin can be reached on 571 272-1189. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Eric Hug/
Primary Examiner, Art Unit 1791